

ORDINANCE NO. 237

AN ORDINANCE REGULATING THE MANNER OF
CONDUCTING THE BUSINESS OF PAWN BROKERS,
JUNK DEALERS AND DEALERS IN SECOND HAND
GOODS, WARES, MERCHANDISE OR COMMODITIES;
AND PROVIDING A PENALTY FOR THE VIOLATION
OF THIS ORDINANCE

The City Council of the City of Lodi does ordain as follows:

SECTION 1. It shall be unlawful for any person, firm, co-partnership or corporation to open, keep open or allow to be kept open, any store, shop or place for the transaction of any business of, or the business of, a pawnbroker, junk dealer, or dealer in second hand goods, wares, merchandise, or commodities other than household furniture and automobiles, or to maintain, conduct or transact the business of a pawnbroker, junk dealer or dealer in second hand goods, wares, merchandise or commodities other than household furniture or automobiles: except as herein provided.

SECTION 2. Whenever it shall appear by the oath of the person claiming to be the owner thereof that certain of his property has been sold by another without any authority to any person, firm or corporation conducting any of the above named businesses and the person claiming to be the owner of such property, files a complaint in a court of competent jurisdiction against the person so pawning or selling the same, charging such person with the crime of which he is alleged to be guilty, it shall be the duty of the Chief of Police to make an investigation concerning the ownership of the property described in said complaint and to determine that no collusion exists between the claimant and the persons who pawned or sold the same. Upon his finding that the person who makes the claim to the property described in said complaint is the lawful owner of such property and entitled to its possession, he shall notify said person, firm or corporation of his findings and it shall be the duty of such persons, firm or corporation to return to the owner thereof, without charge or expense of any kind, any property received from a person not authorized to sell the same, and a failure so to do will be sufficient grounds upon which to cancel the license and revoke the permit to do business of said person, firm or corporation. Provided, however, that before any license shall be cancelled for the failure to return property

claimed by a third person, written charges shall be preferred against the holder of said license, and the matter shall be heard and determined by the City Council, at which hearing all parties interested therein may appear and present testimony in support of their respective contentions.

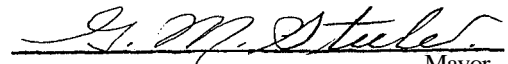
SECTION 3 All persons, firms or corporations conducting any of the above named businesses must keep a register such as prescribed by Section 339 of the Penal Code of the State of California. The record of each transaction written in said register must for a period of six months be kept open to inspection of any peace officer and must be numbered and tag corresponding to said number must be firmly attached to the articles purchased or pawned. All articles purchased by owners or keepers of said businesses must be held for a period of at least fifteen days from the date of purchase intact in a particular place in the place of business designated for that purpose before the same shall be sold. All property purchased shall, upon demand, be shown or exhibited to any Sheriff, Police Officer, Constable or other peace officer, and shall not in any manner be concealed.

If the purchase consists of several different articles, when same are distributed to various parts of the place of business for sale, each article shall bear the number corresponding to that in the said register, except in the case of junk.

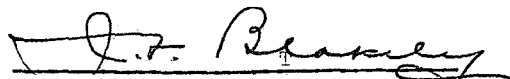
SECTION 4. A violation of any of the provisions of this ordinance shall be and constitute a misdemeanor and shall be punished by a fine of not exceeding three hundred (\$300.00) Dollars, or by imprisonment in the City or County Jail for not exceeding three (3) months, or by both such fine and imprisonment.

This ordinance shall be published once in the Lodi News-Sentinel and shall be in force and effect thirty days after its final passage, adoption and publication.

Approved this 29th day of March, 1937.


Mayor.

ATTEST:

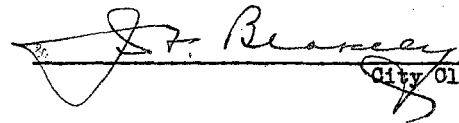

City Clerk.

I, J. F. BLAKELY, City Clerk of the City of Lodi and ex-officio Clerk of the City Council thereof do hereby certify that the foregoing Ordinance No. 237 was regularly introduced at an adjourned regular meeting of said City Council held on the 22nd day of March, 1937 and was thereafter, on the 29th day of March, 1937, finally passed, adopted and approved by the following vote:

AYES: Councilmen, Graffigna, Weihe, Clark, Spooner and Steele

NOES: Councilmen, None

ABSENT: Councilmen, None



City Clerk